

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

FEDERAL HOME LOAN MORTGAGE)
CORPORATION,)

Plaintiff,)

v.)

JUDY K. WEEKS,)

Defendant.)

No. 2:18-cv-02402-TLP-cgc

**ORDER REMANDING THIS ACTION TO SHELBY COUNTY COURT OF
GENERAL SESSIONS**

This action comes before the Court on Defendant's Notice of Removal. (ECF No. 1.) Plaintiff brought this action in the General Sessions Court of Shelby County, Tennessee. Plaintiff attempts to evict Defendant from a residence at 8656 Loxley Place in Cordova, Tennessee. (*Id.* at PageID 7.)

A notice of removal requires a short and plain statement asserting a defendant's grounds for removal. *See* 28 U.S.C. § 1446(a). At the outset, the Court must examine whether it has jurisdiction before addressing the merits. Jurisdiction in this Court is established through a federal question or diversity of citizenship. *See* 28 U.S.C. §§ 1331 and 1332. Here, Defendant's Notice of Removal provides no basis for jurisdiction. Defendant's Notice gives no rise to potential federal-question jurisdiction because the only cited federal statutes are those governing removal itself. (ECF No. 1 at PageID 1, 4.) For diversity of citizenship, the cause of action must include citizens of different states and the amount in controversy must be greater than \$75,000. *See* 28 U.S.C. § 1332. Defendant appears to be a

Tennessee resident. As a matter of law, a defendant sued in her home state cannot remove that action to federal court asserting diversity of citizenship. *See* 28 U.S.C. § 1441(b)(2). What is more, because this case arose in the General Sessions Court of Shelby County, Tennessee, the jurisdictional limit is \$25,000.

As a result, the Court does not find any means to exercise jurisdiction over this action. It thus DISMISSES this action and REMANDS this action to the Shelby County, Tennessee, Court of General Sessions.

SO ORDERED, this 17th day of August, 2018.

s/ Thomas L. Parker

THOMAS L. PARKER
UNITED STATES DISTRICT JUDGE